

Application Number: 10/565,573
Amendment Dated: January 11, 2010
Office Action Dated: July 9, 2009

REMARKS

This is in response to the Office Action dated July 9, 2009 for which a three (3) month period of response was given. A Petition and fee for a three (3) month extension of time accompany this paper. Since January 9, 2010 was a Saturday and January 10, 2010 a Sunday, this paper and any accompanying papers are timely filed on Monday, January 11, 2010. Should any additional petition fees and/or additional claims fees be due, the Commissioner is hereby authorized to treat this paper as authorization and/or a Petition to charge any fees due to Deposit Account No. 50-0959, Attorney Docket No. 089498.0480.

Claims 1, 3, 4, 6 through 9 and 11 through 25 are pending in the present application. Claims 2, 5 and 10 have been cancelled. Claims 1, 3, 4, 7, 13, 18, 21, 22 and 24 have been amended for clarification purposes. Support for the amendments to claims 1, 3, 4, 7, 13, 18, 21, 22 and 24 exist in the specification as filed. As such, entry and consideration of the amended claims and the remarks which follow, is believed due and is respectfully requested.

Additionally, the Applicant's undersigned attorney would like to thank the Examiner for the indication of the allowable nature of the subject matter of original claims 2, 3, 5, 6 and 10 through 25.

I. Information Disclosure Statement:

A Supplemental Information Disclosure Statement is being submitted herewith that cites the art listed in United States Provisional Patent Application No. 60/490,218, from which the present patent application claims priority. All the patents listed therein are contained on the attached IDS except for US Patent No. 6,508,605 which was inadvertently cited and is directed to a non-related mechanical invention.

Accordingly, the attached Supplemental Information Disclosure Statement should address the issues raised by the Examiner on page 3 of the Office Action mailed July 9, 2009.

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II. The Oath/Declaration:

Enclosed herewith is a revised Oath/Declaration executed by the inventor of the present patent application. The revised Oath/Declaration submitted herewith includes the proper priority claim. As such, the objection to the previously filed Oath/Declaration is now believed to have been rendered moot. Accordingly, acceptance of the attached Oath/Declaration is believed due and is respectfully requested.

III. The Objection to the Abstract:

The Examiner has objected to the Abstract. In light of the this, the undersigned has provided a new Abstract that addresses the issues raised by the Examiner in the Office Action mailed July 7, 2009. As such, the objection to Abstract is now believed to have been rendered moot. Accordingly, acceptance of the revised Abstract is believed due and is respectfully requested.

IV. The Objection to Specification:

The specification has been objected to by the Examiner for a variety of minor inadvertent typographical errors. In light of the Examiner's objections the specification has been amended as noted above. As such, the objection to specification is now believed to have been rendered moot. Accordingly, acceptance of the amendments to the specification is believed due and is respectfully requested.

V. The Art Rejections:

Claims 1 and 4 have been rejected under 35 U.S.C. § 102(b), or in the alternative under 35 U.S.C. § 103(a), over Abrams (United States Patent No. 2,844,546). Claims 7 through 9 have been rejected under 35 U.S.C. § 102(e), or in the alternative under 35 U.S.C. § 103(a), over Fine et al. (United States Published Patent Application No. 2003/0064028).

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Given that the pending claims 1 and 4 have been amended to incorporate the allowable subject matter of claims 2 and 5, respectively, this rejection has been rendered moot. As such, withdrawal of the 35 U.S.C. § 102(b)/35 U.S.C. § 103(a) rejection over Abrams is believed due and is respectfully requested.

Given that the pending claim 7 has been amended to incorporate the allowable subject matter of claim 10, this rejection has been rendered moot. As such, withdrawal of the 35 U.S.C. § 102(e)/35 U.S.C. § 103(a) rejection over Fine et al. is believed due and is respectfully requested.

VI. Conclusion:

Accordingly, reconsideration and withdrawal of the pending objections and rejections of claims 1, 3, 4, 6 through 9 and 11 through 25 is respectfully requested.

For at least the foregoing reasons, the present application is believed to be in condition for allowance, and a Notice of Allowance is respectfully requested.

Should the Examiner wish to discuss any of the foregoing in more detail, the undersigned attorney would welcome a telephone call.

Respectfully submitted,

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